

**Senate Bill 1712 (Alpert)**  
**Campaign: Filing of electronic and paper reports**  
**Version:** Introduced, 2/20/04  
**Status:** Senate Elections Committee  
**Set for hearing:** April 21, 2004

---

### **Executive Summary**

SB 1712 would require the Secretary of State to review current filing and disclosure requirements of the Online Disclosure Act of 1997 and report to the Legislature, no later than June 1, 2005, its recommendations on revising requirements so as to promote greater reliance on electronic and online submissions. The bill does not propose any modifications to current filing requirements and merely requires the Secretary of State to review and recommend changes.

### **Recommendation**

Staff recommends that the Commission take no position on the bill at this time.

---

### **Background**

Beginning with the primary election in 2000, certain state candidates, state committees, slate mailer organizations and lobbying entities are required to file electronic reports with the Secretary of State. Under section 84215, paper copies of campaign reports are still required to be filed with the Secretary of State and with local filing officers. Under section 84605(i), paper copies remain the official filing for audit and other legal purposes.

Authority to reduce or eliminate paper filing is already provided in the Act. Section 84606 provides that the Secretary of State, in consultation with the Commission, shall determine when the online system is operating effectively. Upon this determination, filers required to file online or electronically will no longer be required to file a paper copy or with local filing officers.

A previous bill, AB 2642 (Maddox) would have eliminated duplicate paper campaign filings at the local level for state candidates. The Commission opposed the bill, citing the Enforcement Division's continued reliance on paper filings in the early years of the Secretary of State's electronic filing system. The Enforcement Division also reported cases when investigators had to contact local filing officers to obtain reports that were unavailable at the Secretary of State.

AB 2642 was vetoed by Governor Davis in September 2002. His veto message included a reference to the Enforcement Division's concerns and stated, "I must concur with the Fair Political Practices Commission that they, not the Secretary of State, are the proper authority to determine when paper filings with local officials are no longer needed."

**Analysis**

As written, SB 1712 does not propose any concrete changes to current filing requirements. The bill merely requires the Secretary of State to review current filing and disclosure requirements and identify ways to “promote greater reliance” on electronic and online submissions.

Staff felt that it was important to bring this bill to the Commission’s attention, as the ultimate outcome of any review conducted by the Secretary of State may impact Commission workload and enforcement activities. In addition, the Commission may want to consider its role in any type of review conducted by the Secretary of State.

Commission staff will continue to monitor the bill and provide updates.